

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS LLC,
Plaintiff

-v-

TP-LINK TECHNOLOGY CO., LTD.,
Defendant

§
§§
§§§
§§§§
§§§§§

**W-20-CV-01016-ADA
W-20-CV-01018-ADA
W-20-CV-01019-ADA
W-20-CV-01020-ADA
W-20-CV-01021-ADA**

CLAIM CONSTRUCTION ORDER

After considering the parties' briefs and oral arguments at the *Markman* hearing on February 15, 2022, the Court now enters its final claim constructions.

Term	Court's Final Construction
#1: "automatic descriptor unit"	35 U.S.C. § 112, ¶ 6 applies.
U.S. Patent No. 7,447,767 Cl. 1	<p><u>Function</u>: automatically describing any plant of the plurality of types of plant.</p> <p><u>Structure</u>: a processor configured to execute a set of program code files, a set of configuration files, and a file of program codes that collectively contain the algorithm recited in the remainder of the claim.</p>
#2: "automatic descriptor"	35 U.S.C. § 112, ¶ 6 applies.
U.S. Patent No. 7,447,767 Cl. 14	

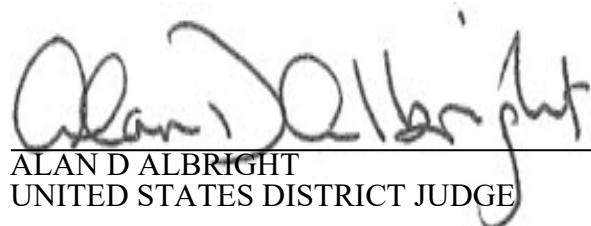
	<p><u>Function</u>: automatically describing any plant of a plurality of types of plant.</p> <p><u>Structure</u>: a processor configured to execute a set of program code files, a set of configuration files, and a file of program codes that collectively contain the algorithm recited in the remainder of the element.</p>
#3: “MIB definition unit” U.S. Patent No. 7,447,767 Cl. 1	definition unit in a <u>Management Information (data)Base</u> .
#4: “change of state of the one or two bits in the route indicator field” U.S. Patent No. 8,199,636 Cl. 1	Plain and ordinary meaning. Where claimed, “the packet” has antecedent basis.
#5: “internal bypass table” U.S. Patent No. 8,199,636 Cl. 1	“a table that specifies an alternate route for the packet”
#6: “one of the nodes that is responsible for detecting the link failure”	Plain and ordinary meaning. “one of the nodes” is part of the “plurality of nodes.”

U.S. Patent No. 8,199,636 Cl. 1	
#7: “broadcast”/ “broadcasting”	“Broadcasting information using push techniques”
U.S. Patent No. 7,333,770, Cls. 1–5, 7, 11–14, and 16–18	
#8: “as a function of objective or subjective criteria”	Not indefinite. Plain and ordinary meaning.
U.S. Patent No. 7,333,770, Cls. 1, 2, 11, and 18	
#9: “filter mechanism”	Not subject to § 112, ¶ 6. Plain and ordinary meaning.
U.S. Patent No. 7,333,770, Cls. 1, 7, 11, 13, and 16	
#10: “retransmission mechanism”	Not subject to § 112, ¶ 6. Plain and ordinary meaning.
U.S. Patent No. 7,333,770, Cls. 3, 7, and 15–16	
#11: “synthesizing mechanism”	§ 112, ¶ 6 does not apply. Plain and ordinary meaning.
U.S. Patent No. 7,333,770, Cls. 2, 7, 10, and 18	

<p>#12: “said reconfiguration solution adapted to reconfigure the base station element to serve a portion of the plurality of wireless terminals, wherein the reconfiguration solution depends on a type of the failure condition”</p> <p>U.S. Patent No. 8,774,790, Cls. 1, 14, 19, and 20</p>	<p>§ 112, ¶ 6 applies</p> <p><u>Function</u>: reconfiguring the base station element to serve a portion of the plurality of wireless terminals, wherein the reconfiguration solution depends on a type of the failure condition</p> <p><u>Structure</u>: Processor implementing the algorithm depicted in Fig. 8.</p>
<p>#13: “a vendor specific attribute according to the standard of WiFi Alliance”</p> <p>U.S. Patent No. 9,548,977, Cls. 1, 5, 10, 11, 13, and 15</p>	<p>Indefinite</p>
<p>#14: “one processor; and at least one memory including computer program code, the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following:”</p>	<p>Not subject to § 112, ¶ 6. Plain and ordinary meaning.</p>

U.S. Patent No. 9,548,977, Cls. 5, 11, and 13	
#15: "A non-transitory computer readable storage medium including computer readable program code, which when executed by at least one processor provides operations comprising:"	Not subject to § 112, ¶ 6. Plain and ordinary meaning.
U.S. Patent No. 9,548,977, Cl. 10	

SIGNED this 15th day of February, 2022.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE